



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909

KEITH JONES, DIRECTOR

April 15, 2019

System No. 3301648

Rose on Palms, LLC
Sugarloaf Café
450 E Palm Canyon Dr.
Palm Springs, CA 92561

CITATION NO. 05_63_19C_007
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION
FOR 2019

Enclosed is Citation No. 05_63_19C_007 (hereinafter "Citation"), issued to the Sugarloaf Cafe (hereinafter "Sugarloaf"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

Any future repeat violations will result in Rose on Palms, LLC to be billed at the Riverside County Department of Environmental Health (hereinafter "Department"), hourly rate for the time spent on issuing a Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577, provides that a public water system must reimburse the Department for actual costs incurred by the Department for specified enforcement actions, including but not limited to preparing, issuing and monitoring compliance with a citation.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the Department under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the Department. The date of issuance is the date when the Department mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact me at (760) 863-7570.

Sincerely,

Jackie Jones
Environmental Health Specialist

Certified Mail No. 7007 3020 0001 6550 3306
cc: State Water Resource Control Board, Division of Drinking Water

RIVERSIDE COUNTY
DEPARTMENT OF ENVIRONMENTAL HEALTH

Name of Public Water System: Sugarloaf Café

Water System No: 3301648

Attention: Rose on Palms, LLC
450 E. Palm Canyon Dr.
Palm Springs, CA 92561

Issued: April 15, 2019

**CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1**

TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION

March 2019

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the Riverside County Department of Environmental Health (hereinafter "Department"), acting by and through its primacy delegation from the State Water Resources Control Board (State Water Board), to issue a citation to a public water system when the Department determines that the public water system has violated or is violating the California Safe Drinking

Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The Department acting by and through its primacy delegation from the State Water Board, hereby issues Citation No. 05_63_19C_007 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Sugarloaf Café water system (hereinafter "Sugarloaf Cafe"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64426.1 Total Coliform Maximum Contaminant Level (MCL) (hereinafter "MCL").

STATEMENT OF FACTS

Sugarloaf Cafe is classified as a Transient Non-Community public water system with a transient population of approximately 25, serving two connections.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to maximum contaminant levels.

CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (hereinafter "MCL"), states that a public water system is in violation of the total coliform MCL if it collects fewer than 40 bacteriological samples per month

1 and if more than one sample collected during any month is total coliform-
2 positive.

3
4 The Department received laboratory results for nine bacteriological samples
5 collected during March 2019 from Sugarloaf Café. All samples were analyzed
6 for the presence of total coliform bacteria. Four of the nine samples analyzed
7 were positive for total coliform bacteria. None of the total coliform positive
8 samples showed the presence of *Escherichia coli* (*E. coli*) bacteria.

10 DETERMINATION

11 Sugarloaf Café took fewer than 40 bacteriological samples during March
12 2019. The results of four routine samples were total coliform positive.
13 Therefore, the Department has determined that Sugarloaf Cafe has failed to
14 comply with drinking water standards pursuant to CHSC, Section
15 116555(a)(1) and CCR, Title 22, Section 64426.1 during March 2019.

17 DIRECTIVES

18 Sugarloaf Café is hereby directed to take the following actions:

- 19
20 1. As discussed on the phone, on or before **April 20, 2019**, notify all
21 persons served by the Sugarloaf Café of the violation of CCR, Title 22,
22 Section 64426.1, in conformance with Sections 64463.4(b) and (c) and
23 64465. Appendix 2: Notification Template shall be used to fulfill this
24 Directive. The Tier 2 notice was approved by this Department on April
25 9, 2019.

26
27 The notification shall be completed in accordance with the following:

- Posting of the Public Notification in conspicuous places within the area served by the water system. The notice shall remain posted for a minimum of seven (7) consecutive days and;
- By one of the following secondary methods to reach persons not likely to be reached by posting;
 - By publication in a local newspaper or newsletter distributed to customers, by internet posting of the notice or by direct delivery to each customer served by the Sugarloaf Café. If the water system opts to issue the notice via internet website, the public notice shall remain posted for a minimum of seven (7) consecutive days.

2. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 1 to the Department on or before **April 26, 2019.**

3. As communicated by email on March 31, 2019, submit the information required by CCR, Title 22, Section 64426(b)(2) on or before **April 20, 2019.**

Templates for the Level 1 Assessment may be obtained at:

https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/rtr.shtml

1 4. Pursuant to CCR, Title 22, Section 64424(d), collect and have
2 analyzed for total coliform bacteria, five (5) routine bacteriological
3 samples on or before **April 30, 2019**.

4
5 All submittals required by this Citation, shall be submitted to the following
6 address or electronically to jaiones@rivco.org.

7
8 Department of Environmental Health

9 Attn: Jackie Jones

10 47-950 Arabia St, Ste A

11 Indio, CA 92201
12

13 The Department reserves the right to make modifications to this Citation as it
14 may deem necessary to protect public health and safety. Such modifications
15 may be issued as amendments to this Citation and shall be effective upon
16 issuance.

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18 Nothing in this Citation relieves Sugarloaf Café of its obligation to meet the
19 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter
20 4, commencing with Section 116270), or any regulation, standard, permit or
21 order issued or adopted thereunder.
22

23 **PARTIES BOUND**

24 This Citation shall apply to and be binding upon Sugarloaf Café, its owners,
25 shareholders, officers, directors, agents, employees, contractors, successors,
26 and assignees.
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SEVERABILITY

The directives of this Citation are severable, and the Sugarloaf Café shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes Riverside County Department of Environmental Health, pursuant to authority delegated by the State Water Board, to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Riverside County Department of Environmental Health to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Riverside County Department of Environmental Health, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Riverside County Department of Environmental Health. The Riverside County Department of Environmental Health does not waive any further enforcement action by issuance of this Citation.

	<u>4/15/19</u>
Jackie Jones	Date
Environmental Health Specialist	

1 Appendices 2:

2

3 1. Notification Template

4 2. Compliance Certification Form

5

6 Certified Mail No. 7007 3020 001 6550 3306

APPENDIX 2. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Por favor hable con alguien que lo pueda traducir.

Sugarloaf Café Water System Has Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took 9 samples to test for the presence of coliform bacteria during March 2019. 4 of those samples showed the presence of total coliform bacteria. The standard is that no more than 1 sample per month may do so.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

- **A chlorinator was installed on the water system and small amount of chlorine is added to the water. The chlorinator will be operated on the system until the problem is resolved. All samples taken from the water system have been absent for Coliform Bacteria since the chlorinator was installed.**

For more information, please contact Merl Johnson / water System Management at (951) 377-7417 or PO Box 391655, Anza CA 92539.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by Sugarloaf Café Water System

State Water System ID#: 3301648. Date distributed:

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 05_63_19C_007

Name of Water System: Sugarloaf Café

System Number: 3301648

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violation of California Code of Regulations, Title 22, Section 64426.1, for the compliance period of March 2019 and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 1) Public Notification Method(s) Used:</i>	
<i>(Citation Directive 3) Complete and Submit a Level 1 Assessment Form</i>	
<i>(Citation Directive 4) Collect five (5) routine bacteriological samples and have samples analyzed for Total Coliform & E.coli bacteria in the month following the MCL exceedance.</i>	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN April 26, 2019.

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.